UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/957,512	10/24/97	WILKINSON T	09005/012001

LM71/0621

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EXAMINER	
CHAVIS, J	
ART UNIT	**PAPER NUMBER**
2762	18

DATE MAILED: 06/21/00

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/957,512	10/24/97	WILKINSON T	09005/012001

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EXAMINER	
CHAVIS, J	
ART UNIT	**PAPER NUMBER**
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/957,512	10/24/97	WILKINSON T	09005/012001

LM12/0426

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ART UNIT	**PAPER NUMBER**
2762	18

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Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)
08/957,512	Wilk rson et al.
Examiner	**Group Art Unit**
John Chavis	2762

☒ Responsive to communication(s) filed on *Feb 7, 2000*

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) *1-58 and 91-136* is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-58, 91-112, 114-122, and 124-136* is/are rejected.

☒ Claim(s) *113 and 123* is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on *Feb 7, 2000* is ☒ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____ .

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

1. The specifications change requested by the applicant on page 5 line 12 has not been entered; since, it is not clear. There are two locations for "a" on the page and it is not clear if the change is to one (the first or the second) or both.

2. The proposed drawing changes, submitted 2-7-00 have been approved by the examiner.

35 U.S.C. 102 REJECTION

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

4. Claims 1-28, 31-58, 91-97, and 100-105 are rejected under 35 U.S.C. 102(e) as being anticipated by Peyret et al. (5,923,884). The applicant claims an integrated circuit card for storing information for communicating with a terminal. The features of the applicant's claim are now presented in a side by side manner with the teachings of Peyret.

What is claimed is:	Peyret
1. An integrated circuit card for use with a terminal, comprising:	see the title and the abstract of the invention.
a communicator configured to communicate the terminal;	this feature is standard for IC Cards to Enable communications between the IC Card And the terminal, see the interface 86 of fig. 4.

a memory storing: an application derived from a high level programming language format,	see fig. 1 and again see the abstract, which indicates that the system uses applets (Java Language-derived from a high level language).
and an interpreter...; and	See fig. 2, item 42.
a processor coupled to the memory,	see fig. 1, item 22.
the processor configured to use the interpreter to interpret the application for execution and to use the communicator to communicate with the terminal.	see fig. 2, item 42.

The applicant indicates that Peyret does not teach the use of Java or any other high level language; however, the features taught by Peyret reads directly on the Java programming language. For example, Peyret indicates that "the applets run through the interpreter so that the applets do not have any direct access to the hardware of the smart card", col. 5 lines 44-46; while, the Java programming language (see the newly cited reference Writing Java Applets by John Rodley (Chapter 1), cited only to indicate the inherent features of the Java programming language that were known at the time of the invention) indicates that applets are accessed via an interpreter for portability and security purposes. These features are taught by Rodley on pages 9-10 and pages 12-13.

Peyret describes the interpreter as a virtual machine having a piece of software that acts as an interface between the hardware processor and the applets (col. 5 lines 36-51.); while, Rodley also indicates that the interpreter is software (different for each CPU and operating system) utilizing the Java Virtual Machine (inherently between the processor and incoming Java programs), pages 9-11.

Peyret further indicates that his source code is translated into bytecode, col. 5 lines 59-62; which is also a feature of the Java programming language, see Rodley's page 11. Therefore, Peyret's system inherently teaches the use of the Java programming language.

2. The integrated circuit card of claim 1, wherein the high level programming language format comprises a class file format.	this feature is inherent for Java programs.
3. The integrated circuit card of claim 1 wherein the processor comprises a microcontroller.	see col. 1 lines 53-56.
4. The integrated circuit card of claim 1 wherein at least a portion of the memory is located in the processor.	see again figs. 1 and 2.
5. The integrated circuit card of claim 1	see the abstract (applets).

wherein the high level programming language format comprises a Java programming language format.	
6. The integrated circuit card of claim 1, wherein the application has been processed from a second application having...a string of characters, and... the string of characters is replaced with an identifier.	see col. 7 lines 43-67. Note that the PIN number of the card (1st Appl.) is verified by the server (Second application).
7. The integrated circuit card of claim 6, wherein the identifier comprises an integer.	see the 'PIN number' in the cited portion Of claim 6.
8. The integrated circuit card of claim 1 wherein the processor is further configured to: receive a request from a requester to access an element of the card;	see the 'use rights' in the cited portion of claim 6.
after receipt of the request, interact with the requester to authenticate an identity of the requester; and	see again the authenticating feature in the cited portion of claim 6 and see col. 1 lines 13-19, 64-66 and col. 2 lines 62-67.
based on the identity, selectively grant access to the element.	inherent in the feature above.
9. The integrated circuit card of claim 8, wherein the requester comprises the processor.	see col. 7 lines 43-67.
10. The integrated circuit card of claim 8, wherein the requester comprises the terminal.	this feature is inherent when the card is used For withdrawing money from an ATM Machine.
11. The integrated circuit card of claim 8, wherein the element comprises the application stored in the memory, and	see claim 8.
once access is allowed, the requester is configured to use the application.	
12. The integrated circuit card of claim 8, wherein the element comprises another application stored in the memory.	see fig. 4, item 54.

13. The integrated circuit card of claim 8, wherein the element includes data stored in the memory.	see claim 12.
14. The integrated circuit card of claim 8 wherein the element comprises the communicator.	see item 86 of fig. 4.
15. The integrated circuit card of claim 8, wherein the memory also stores an access control list for the element, the access control list furnishing an indication of types of access to be granted to the identity, the processor further configured to: based on the access control list, selectively grant specific types of access to the requester.	see col. 7 lines 57-67.
16. The integrated circuit card of claim 15 wherein the types of access include reading data.	inherent in claim 15.
17. The integrated circuit card of claim 15 wherein the types of access include writing data.	see col. 7 lines 63-67.
18. The integrated circuit card of claim 15 wherein the types of access include appending data.	see claim 17.
19. The integrated circuit card of claim 15 wherein the types of access include creating data.	see col. 8 lines 1-15.
20. The integrated circuit card of claim 15 wherein the types of access include deleting data.	see col. 8 lines 23-41, 'replacing the old applet'.
21. The integrated circuit card of claim 15 wherein the types of access include executing an application.	inherent in all claim above.

22. The integrated circuit card of claim 1, wherein the application is one of a plurality of applications stored in the memory, the processor is further configured to:

receive a request from a requester one of the plurality of applications;

after receipt of the request, determine whether said one of the plurality of applications complies with a predetermined set of rules; and

based on the determination, selectively grant access to the requester to said one of the plurality of applications.

see claim 8 and fig. 4.

23. The integrated circuit card of claim 22, wherein the predetermined rules provide a guide for determining whether said one of the plurality of applications accesses a predetermined region of the memory.

see again col. 7 lines 43-67.

24. The integrated circuit card of claim 22, wherein the processor is further configured to:
authenticate an identity of the requester; and

grant access to said one of the plurality of applications based on the identity.

see the 'use rights' in the abstract and fig. 9.

25. The integrated circuit card of claim 1, wherein the processor is further configured to:

interact with the terminal via the communicator to authenticate an identity; and

determine if the identity has been authenticated; and

based on the determination, selectively allow communication between the terminal and the integrated circuit card.

see claim 8.

26. The integrated circuit card of claim 25, wherein the communicator and the terminal

see fig. 4.

communicate via communication channels, the processor further configured to assign one of the communication channels to the identity when the processor allows the communication between the terminal and the integrated circuit card.

27. The integrated circuit card of claim 26, wherein the processor is further configured to:

assign a session key to said one of the communication channels, and

use the session key when the processor and the terminal communicate via said one of the communication channels.

inherent via col. 9 lines 3-31 in order to allow multiple functions on a single access (For example checking balances, transferring Funds and making withdrawals).

28. The integrated circuit card of claim 1, wherein the terminal has a card reader and the communicator comprises a contact for communicating with the card reader.

inherent in all claim above.

The features of claims 31-57 are taught via claims 1-27, supra.

In reference to claim 58, see claim 1 and the abstract of the invention.

As per claims 95-97, see claim 3 and col. 1 lines 24-58.

As per claims 101 and 104, see claim 3 and col. 1 lines 24-58.

The features of claims 91, 93, and 105 are taught via claim 1.

As per claims 92 and 94, see claim 7.

In reference to claim 100, see claim 3 and col. 1 lines 24-58 in view of claim 5; while, the features of claims 102-103 are also taught via claim 100.

As per claim 104, see claim 100 and the updating feature of the abstract. Also, see again figs. 4 and 9. The data stored in item 26 is stored with the manufacturing of the IC; while, the data

stored in item 30 can be stored or modified at any time.

The features of claims 106-112, 116-118 and 120, see claim 95. It is considered an inherent feature for a system to have means for including required attributes, producing output in a form suitable for interpretation (ie. Bytecode for Java), converting means.

As per claim 115, see claim 1.

In reference to claim 119, see fig. 3 item 56.

The features of claims 121-122 are taught via claim 109-110.

As per claims 124 and 126, the feature is an inherent feature of the Java Programming language to provide security.

In reference to claim 125, see the "use rights" in the abstract.

The features of claims 127-128 and 130-136, see the rejections of claims 124-126, the abstract, figures 3, and 8-9.

35 U.S.C. 103 REJECTION

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 29, 30, 97 and 98, 114, 129 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peyret et al. (5,923,884) as applied to claims 1 and 3 in view of col. 1 lines 24-58 above, and further in view of Martineau (5,915,226). Peyret teaches all features of the applicant's claims except the feature of performing wireless communications. However, the feature is taught by Martineau to

provide communications to users from remote locations. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the feature in Peyret's system for the same reason to provide access to services to users in remote locations. The feature would have been obvious to enhance services provided to the users. In view of claims 114 and 129, The specific system utilized to execute is considered a mere selection choice or a choice of design for a system specifically assembled to execute the interpreter system.

7. Claims 113 and 123 are allowable over the prior art of record.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Chavis whose telephone number is (703) 305-9665. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz **(New Art Unit 2762)**, can be reached on (703) 305-9643. The fax phone number for this Group is (703) 305-0040.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

JQC
April 24, 2000